

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

-----X
GEORGE HERRMANN, ET AL.,

Plaintiffs,

v.

GUTTERGUARD, INC.,
DIXIE HOMECRAFTERS, and All
Affiliated Companies,

Defendants.
-----X

Civ. No.: 1:04-CV-0365-JEC

**STIPULATED SUSPENSION OF BRIEFING SCHEDULE OF
PLAINTIFFS' MOTIONS REGARDING CONDITIONAL
CERTIFICATION, NOTICE, AND TO AMEND COMPLAINT**

On November 17, 2006, Messrs. Reid Estes and George Duncan filed Plaintiffs' Renewed Motions For Conditional Certification, For An Order Compelling Defendants To Expeditiously Disclose The Identities of Similarly-Situated Employees, And For An Order Authorizing Notice To Such Employees. [Docket No. 319] On November 21, 2006 these counsel also filed Plaintiffs' Motion For Leave To File Amended Complaint And Incorporated Memorandum Of Law In Support Thereof. [Docket No. 320]

Counsel for the Movant-Plaintiffs (Messrs. Estes and Duncan) and counsel for Defendants (L. Dale Owens) have agreed on behalf of their respective clients to engage in mediation in an effort to settle the case. The parties anticipate filing a joint motion and/or stipulation to stay the case and toll the applicable statute of limitations pending mediation, not later than December 8. The parties request that the Court suspend the briefing schedule for the Renewed Motions and Motion For Leave To File Amended Complaint pending entry of a joint motion and/or stipulation to stay the case and toll the applicable statute of limitations.

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ATTORNEYS FOR DEFENDANTS

SO ORDERED, this 12 day of December, 2006.



UNITED STATES DISTRICT COURT JUDGE

FILED IN [REDACTED] OFFICE
U.S.D.

DEC 13 2006

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

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CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2006, I electronically filed **Stipulated Suspension of Briefing Schedule of Plaintiffs' Motions Regarding Conditional Certification, Notice, and to Amend Complaint** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

George E. Duncan, Jr., Esq.

M. Reid Estes, Jr., Esq.

This 5th day of December, 2006.

s/L. Dale Owens
L. Dale Owens
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